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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Algeria:* draft resolution

Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 53/126 of 9 December 1998,

Recalling also the provisions of its resolution 2312 (XXII) of 14 December 1967, by which it adopted the Declaration on Territorial Asylum,

Recalling further the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969,[1] and the African Charter on Human and People's Rights,[2]

Recalling the Khartoum Declaration and recommendations of the Organization of African Unity Ministerial Conference on Refugees, Returnees and Displaced Persons in Africa, held at Khartoum from 10 to 14 December 1998,

Welcoming decision CM/Dec. 459 (LXX) on the situation of refugees, returnees and displaced persons in Africa, adopted by the Council of Ministers of the Organization of African Unity at its seventieth ordinary session, held at Algiers from 8 to 10 July 1999,

Commending the first Ministerial Conference of the Organization of African Unity on human rights in Africa, held at Grand Bay, Mauritius, from 12 to 16 April 1999, and welcoming the attention paid to issues relevant to refugees and displaced persons in the Declaration and Plan of Action adopted by the Conference,

* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] United Nations, *Treaty Series*, vol. 1001, No. 14691.

[2] Ibid., vol. 1520, No. 26363.

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Recognizing the contributions made by African States to the development of regional standards for the protection of refugees and returnees, and noting with appreciation that countries of asylum are hosting refugees in a humanitarian spirit and in a spirit of African solidarity and brotherhood,

Recognizing also the need for States resolutely to address the root causes of forced displacement and to create conditions that facilitate durable solutions for refugees and displaced persons and stressing, in this regard, the need for States to foster peace, stability and prosperity throughout the African continent,

Convinced of the need to strengthen the capacity of States to provide assistance and protection for refugees, returnees and displaced persons, and of the need for the international community, within the context of burden-sharing, to increase its material, financial and technical assistance to the countries affected by refugees, returnees and displaced persons,

Acknowledging with appreciation that some assistance is already rendered by the international community to refugees, returnees and displaced persons and host countries in Africa,

Noting with great concern that, despite all the efforts deployed so far by the United Nations, the Organization of African Unity and others, the situation of refugees and displaced persons in Africa, especially in the West African and Great Lakes regions and in the Horn of Africa, remains precarious,

Stressing that the provision of relief and assistance to African refugees by the international community should be on an equitable, non-discriminatory basis,

Considering that among refugees, returnees and internally displaced persons, women and children comprise the majority of the populations affected by conflicts and bear the brunt of atrocities and other consequences of conflicts,

1. *Takes note* of the reports of the Secretary-General[3] and the United Nations High Commissioner for Refugees;[4]

2. *Notes with concern* that the declining socio-economic situation, compounded by political instability, internal strife, human rights violations and natural disasters, has led to increased numbers of refugees and displaced persons in some countries of Africa, and remains particularly concerned about the impact of large-scale refugee populations on the security, socio-economic situation and environment of countries of asylum;

3. *Takes note* of the commemoration in 1999 of the adoption of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969,[1] appeals to African States that have not yet done so to accede to the Convention, and calls upon States parties to the Convention to reaffirm their commitment to its ideals and to respect and observe its provisions;

4. *Takes note also* of the commemoration in 1999 of the fiftieth anniversary of the signature of the Geneva Conventions of 12 August 1949,[5] and, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa, calls upon States and other parties to armed conflict to observe scrupulously the letter and spirit of international humanitarian law;

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[3] A/54/414.

[4] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 12* and addendum (A/54/12 and Add.1).

[5] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

5. *Notes* the need for States to address the root causes of forced displacement in Africa and calls upon African States, the international community and relevant United Nations agencies to take concrete action to meet the needs of refugees, returnees and displaced persons for protection and assistance, and to generously contribute to national projects and programmes aimed at alleviating their plight;

6. *Notes also* the link, *inter alia*, between human rights violations, poverty, natural disasters and environmental degradation and population displacement and calls for redoubled and concerted efforts by States, in collaboration with the Organization of African Unity, to promote and protect human rights for all and to address these problems;

7. *Encourages* the Office of the United Nations High Commissioner for Refugees to continue to cooperate with the Office of the United Nations High Commissioner for Human Rights and the African Commission on Human and People's Rights, within their respective mandates, in the promotion and protection of human rights and fundamental freedoms of refugees, returnees and displaced persons in Africa;

8. *Notes with appreciation* the positive outcome of all mediation and conflict resolution efforts carried out by African States, the Organization of African Unity and subregional organizations, as well as the establishment of regional mechanisms for conflict prevention and resolution, and urges all relevant parties to address the humanitarian consequences of conflicts;

9. *Expresses its appreciation and strong support* for those African Governments and local populations that, in spite of the general deterioration of socio-economic and environmental conditions and overstretched national resources, continue to accept the additional burden imposed upon them by increasing numbers of refugees and displaced persons, in compliance with the relevant principles of asylum;

10. *Expresses its gratitude* to the international community and to the Office of the United Nations High Commissioner for Refugees for the humanitarian assistance they have continued to render to refugees and displaced persons and to countries of asylum;

11. *Expresses its concern* about instances in which the fundamental principle of asylum is jeopardized by unlawful expulsion or refoulement or by threats to the life, physical security, integrity, dignity and well-being of refugees;

12. *Calls upon* States, in cooperation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles of refugee protection, and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements;

13. *Urges* States and all other actors to take all necessary measures to protect activities related to humanitarian assistance, to prevent attacks on and kidnapping of national and international humanitarian workers, and to ensure their safety and security; and further requests organizations and aid workers to abide by the national laws and regulations of the countries in which they operate;

14. *Calls upon* the Office of the High Commissioner for Refugees, the Organization of African Unity, subregional organizations and all African States, in conjunction with United Nations agencies, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the international refugee protection system;

15. *Also calls upon* the Office of the High Commissioner, the international community and other concerned entities to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers,

disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response, and enhancing capacities for the coordination of humanitarian activities;

16. *Reaffirms* the right of return and also the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, as appropriate, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

17. *Notes with satisfaction* the voluntary return of millions of refugees to their homelands following the successful repatriation and reintegration operations carried out by the Office of the High Commissioner, with the cooperation and collaboration of countries hosting refugees and countries of origin, and looks forward to other programmes to assist the voluntary repatriation and reintegration of all refugees in Africa;

18. *Reiterates* that the Plan of Action adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995, as endorsed by the General Assembly in its resolution 50/149, continues to be a viable framework for the resolution of the refugee and humanitarian problems in that region;

19. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden-sharing, to the third-country resettlement requests of African refugees, and notes with appreciation that some African countries have offered resettlement places for refugees;

20. *Welcomes* the programmes carried out by the Office of the United Nations High Commissioner for Refugees with host Governments, the United Nations, non-governmental organizations and the international community to address the environmental impact of refugee populations;

21. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum;

22. *Expresses its concern* about the long stay of refugees in certain African countries, and calls upon the Office of the High Commissioner to keep its programmes under review, in conformity with its mandate in the host countries, taking into account the increasing requirements there;

23. *Emphasizes* the need for the Office of the High Commissioner for Refugees to collate statistics, on a regular basis, of the number of refugees living outside refugee camps in certain African countries, with a view to evaluating and addressing the needs of these refugees;

24. *Urges* the international community, in a spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, to ensure that Africa gets a fair and equitable share of the resources designated for refugees;

25. *Requests* all Governments, intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children and displaced persons, including those with special protection needs;

26. *Calls upon* States and the Office of the High Commissioner to make renewed efforts to ensure that the rights, needs and dignity of elderly refugees are fully respected and addressed through appropriate programme activities;

27. *Expresses grave concern* about the plight of internally displaced persons in Africa, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, takes note, in this regard, of the Guiding Principles on Internal Displacement,[6] and urges the international community, led by relevant United Nations agencies, to contribute generously to national projects and programmes aimed at alleviating the plight of internally displaced persons;

28. *Requests* the Secretary-General to submit a comprehensive report on the situation of refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-fifth session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees: questions relating to refugees, returnees and displaced persons and humanitarian questions", and to present an oral report to the Economic and Social Council at its substantive session of 2000.

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[6] E/CN.4/1998/53/Add.2, annex.